IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4802 of 2005

Between:

1. N.Nagaraju, S/o. Gandhi, aged 25 years, Resident of Yelamanchali,

Visakhapatnam District

2. D.V.S.K.S.Seetharama Raju, S/o.Appala Narasimha Raju, aged

27 years, resident of Darlapudi, Visakhapatnam District

3. M.B.V.Varma, S/o.Venkatapathi Raju, aged 29 years, resident of

Darlapudi, Visakhapatnam District

4. P.K.B.Babu, S/o.Sanyasi Rao, aged 29 years, resident of

Darlapudi, Visakhapatnam District

5. K.N.V.S.S.A.N.Raju, S/o.Ramachandra Raju, aged 22 years, resident of

Gudivada, Visakhapatnam District

6. Sunkara Srinivasu, S/o.Nookainaidu, aged 31 years, resident of

Gottiwada, Visakhapatnam District

7. S.Srinu, S/o.Ramulu, aged 35 years, resident of Chinna Gummuluru,

Visakhapatnam District

8. G.V.V.Gopala Babu, S/o.Krishna Raju, aged 38 years, resident of

Thangedu, Visakhapatnam District

9. G.Sathya Babu, S/o.Raju Babu, aged 31 years, resident of Darlapudi,

Visakhapatnam District

10. D.S.S.Ramachandra Raju, S/o.Varahalaraju, aged 38 years,

Resident of Darlapudi, Visakhapatnam District

11. Ch.S.S.N.M. Raju, S/o.Suryanarayana Raju, aged 32 years,

Resident of Dharmavaram, Visakhapatnam District

12. D.Siva Varma, S/o.Satyanarayana Raju, aged 26 years, resident

Of Darlapudi, Visakhapatnma District

.. Petitioners

AND

1. Director, Sugar & Cane Commissioner, I floor, Manoranjan Building,

M.J.Road, Hyderabad-500 001

2. Chairman, Etikoppaka Cooperative, Agricultural & Industrial Society Ltd.,

Darlapudi-531 082, Visakhapatnam District

3. Managing Director, Etikoppaka Cooperative Agricultural & Industrial Society

Ltd., Darlapudi-531 082, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, Direction or Order, particularly one in the nature of Mandamus declaring the inaction of the respondents in not regularising the services of the petitioners as illegal and consequently direct the respondent Nos. 2 and 3 to regularise the services of the petitioners by considering the representation of the employees and workers union dt. 17.11.2004 and the representation of the petitioners on 3.3.2005 and regularise their services.

Counsel for the Petitioner: MR.R.V.NAGABUSHNAM RAO

Counsel for the Respondent No.: GP FOR INDUSTRIES & COMMERCE

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in not regularizing the services of the petitioners as arbitrary and illegal.

According to the petitioners, they are working in the Sugar Factory of the 2nd respondent-Society since 1997, but their services have not been regularized so far. They submitted a representation, dated 17.11.2004.

Heard the learned counsel for the petitioners and the learned Government Pleader for Industries and Commerce and perused the material on record.

Whether the petitioners are the employees of the 3rd respondent and their services have to be regularized or not are required to be determined and decided by the 3rd respondent in accordance with the byelaws and the rules and regulations governing the services conditions of the employees.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 3rd respondent to take appropriate decision as per the rules and regulations including byelaws of the Society

within a period of three weeks from the date of receipt of a copy of this order.

The writ petition is disposed of in terms of the above direction. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

14th March, 2005.

bcj

To

1. Director, Sugar & Cane Commissioner, I floor, Manoranjan Building,

M.J.Road, Hyderabad-500 001

2. Chairman, Etikoppaka Cooperative, Agricultural & Industrial Society Ltd.,

Darlapudi-531 082, Visakhapatnam District

3. Managing Director, Etikoppaka Cooperative Agricultural & Industrial Society

Ltd., Darlapudi-531 082, Visakhapatnam District.

4 Two C.Cs. to the Government Pleader for Industries and Commerce, High Court Buildings, Hyderabad (OUT)

5 Two C.D. copies.

Note: Furnish copy in two days

B/o

bcj